



Atty. Dkt. No. 034474-0109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carr et al.
Title: METHODS FOR HIGH FIDELITY
PRODUCTION OF LONG
NUCLEIC ACID MOLECULES
WITH ERROR CONTROL
Appl. No.: 10/733,855
Filing Date: 12/10/2003
Art Unit: 1645

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| <p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>JORIE JOHNSON</u> (Printed Name)</p> <p><u>Jorie Johnson</u> (Signature)</p> <p><u>August 27, 2004</u> (Date of Deposit)</p> |
|--|

TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed April 27, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- ☒ Declaration and Power of Attorney (5 pages)
- ☒ Return Copy of Notice to File Missing Parts
- ☐ Translation
- ☒ Drawings (31 pages, Figures 1 – 25)
- ☐ Preliminary Amendment
- ☐ Claim for Convention Priority and certified copy of priority documents

08/31/2004 MBELETE1 00000012 061450 10733855

04 FC:1252 420.00 DA

☐ Information Disclosure Statement

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☐ Extension for response filed within the first month
☒ Extension for response filed within the second month
☐ Extension for response filed within the third month
☐ Extension for response filed within the fourth month
☐ Extension for response filed within the fifth month

☐ Other:

The filing fee is calculated below:

| | Claims as Filed | Included in Basic Fee | Extra Claims | Rate | Fee Totals |
|---|--------------------|-----------------------------|--------------|-------------------|---------------|
| Basic Fee | | | | \$770.00 | \$770.00 |
| Total | 10 | - 20 | = 0 | x \$18.00 | = \$0.00 |
| Claims: | | | | | |
| Independ | 8 | - 3 | = 5 | x \$86.00 | = \$430.00 |
| ents: | | | | | |
| If any Multiple Dependent Claim(s) present: | | | | + \$290.00 | = \$0.00 |
| Surcharge under 37 CFR 1.16(e) for late filing of | | | | + \$130.00 | = \$130.00 |
| Executed Declaration and late payment of filing fee | | | | | |
| <input checked="" type="checkbox"/> Extension fee for response filed within | | | | + \$420.00 | = \$ 420.00 |
| the second month: | | | | | |
| | | | | SUBTOTAL: | = \$1,750.00 |
| <input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above): | | | | | = \$0.00 |
| | | | | TOTAL FILING FEE: | = \$1,750.00 |
| | | | | TOTAL FEE | = \$1,750.00 |
| Difference to pay: | | | | - \$0.00 | - \$1,750.00 |

☐ Check in the amount of \$1,750.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

[X] Please charge Deposit Account No. 06-1450 in the amount of \$1,750.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450.

Respectfully submitted,

Date 8-27-2004

By 

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/733,855 | 12/10/2003 | Peter A. Carr | 034474-0109 |

CONFIRMATION NO. 8059

FORMALITIES LETTER



OC000000012459533

27433
 FOLEY & LARDNER
 321 NORTH CLARK STREET
 SUITE 2800
 CHICAGO, IL 60610-4764

Date Mailed: 04/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 3a-3d, 4, 5, 8C, 11A, 12A-12B, 13A, 13B, 14A-14B, 15A-15G, 16A-16C, 17-19, 20, 21A-21B, 22, 23A-23B,.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 25.

08/31/2004 MBELETE1 00000012 061450 10733855

770.00 DA
 430.00 DA
 130.00 DA

01 FC:1001
 02 FC:1201
 03 FC:1051



- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$430** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1330** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$430**
 - **\$430** for **5** independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE